

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

ERICK ROMAN,

*

Plaintiff

*

v.

*

Civil Action No. AW-12-1911

WARDEN,

*

Defendant

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MEMORANDUM

The Court is in receipt of correspondence from Plaintiff, Erick Roman, an inmate currently incarcerated at the U.S. Penitentiary in Marion Illinois. ECF No. 1. The letter was construed as a civil rights complaint as Plaintiff indicates he has not been seen by a physician and requests a Court Order that he be provided the “right medication.” He states that he is treated badly in the Special Housing Unit and needs the Court’s assistance in seeing a doctor. *Id.*

This Court is not the proper forum for Plaintiff’s complaint. Under 28 U.S.C. § 1391(b), a civil action that is not founded on diversity of citizenship may be brought only in the judicial district where any of the defendants reside, if all defendants reside in the same State or a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, except as otherwise provided by law.

In every respect, Illinois is the proper venue for the instant action. Rather than transferring the case as permitted under 28 U.S.C. §1406(a), the case shall be dismissed without

prejudice so that Plaintiff can better formulate his claim¹ and determine whether he wishes to pursue his complaint in Illinois.

A separate order follows.

July 16, 2012

_____/s/
Alexander Williams, Jr.
United States District Judge

¹ Plaintiff shall be provided a form packet for filing a civil rights complaint. Should he wish to pursue this claim in Illinois he should include the names of the parties he wishes to sue and how each of the named individuals violated his constitutional rights.